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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Agenda item 11 (c) (ii)

REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH THE SUB-COMMISSION HAS BEEN OR MAY BE CONCERNED

REVIEW OF ISSUES NOT PREVIOUSLY THE SUBJECT OF STUDIES BUT WHICH THE SUB-COMMISSION HAD DECIDED TO EXAMINE: TERRORISM AND HUMAN RIGHTS

Mr. Ali Khan, Ms. Attah, Mr. Bossuyt, Mr. Boutkevitch, Mr. Chernichenko, Ms. Daes, Mr. Diaz Uribe, Mr. Eide, Mr. El-Hajjé, Mr. Fan, Mr. Fix Zamudio, Mr. Guissé, Ms. Gwanmesia, Mr. Hatano, Mr. Joinet, Mr. Khalil, Mr. Lindgren Alves, Mr. Maxim, Mr. Mehedi, Mr. Park, Mr. Weissbrodt and Mr. Yimer: draft resolution

1997/... Human rights and terrorism

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international instruments on human rights and humanitarian law,

Bearing in mind that the most essential and basic human right is the right to life,

Recalling the Vienna Declaration and Programme of Action (A/CONF.157/23), adopted by the World Conference on Human Rights,

Recalling also General Assembly resolution 50/186, Commission on Human Rights resolutions 1994/46, 1995/43, 1996/47 and 1997/42, and its own resolutions 1994/18 and especially 1996/20,

Reiterating its deep concern at the persistence of acts of terrorism and the gross violations of human rights perpetrated by terrorist groups,

Reiterating also that all States have an obligation to promote and protect human rights and fundamental freedoms, and that every individual should strive to secure their universal and effective recognition and observance,

Profoundly deploring the increasing number of innocent persons killed and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

Noting with great concern the growing connection between terrorist groups and the illegal traffic in arms and drugs, as well as the consequent commission of serious crimes,

Welcoming the working paper submitted by Ms. Kalliopi K. Koufa in accordance with Sub-Commission resolution 1996/20 (E/CN.4/Sub.2/1997/28),

1. Reiterates its unequivocal condemnation of all acts, methods and practices of terrorism regardless of their motivation, in all its forms and manifestations, wherever and by whomever committed, as acts of aggression aimed at the annihilation of human rights, fundamental freedoms and democracy, threatening territorial integrity and international peace and security, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences on the economic and social development of States;

2. Calls upon Governments to take all necessary and effective measures, in conformity with international standards of human rights, to prevent, combat and eliminate terrorism;

3. Urges the international community to enhance cooperation in the fight against terrorism at the national, regional and international levels;

4. Expresses its deep appreciation to Ms. Kalliopi K. Koufa for her analytical, very comprehensive and well-documented working paper (E/CN.4/Sub.2/1997/28);

5. Recommends that the Commission on Human Rights authorize the appointment of Ms. Kalliopi K. Koufa as Special Rapporteur to conduct a comprehensive study on terrorism and human rights on the basis of her working paper;

6. Requests the Special Rapporteur to submit a preliminary report at its fiftieth session, a progress report at its fifty-first session and a final report at its fifty-second session;

7. Requests the Secretary-General to invite Governments, United Nations bodies, the specialized agencies and intergovernmental and non-governmental organizations to provide the Special Rapporteur with information relevant to the preparation of her study;

8. Also requests the Secretary-General to provide the Special Rapporteur with all the assistance she may require for the preparation of her study;

9. Recommends the following draft decision to the Commission on Human Rights for adoption:

"The Commission on Human Rights, taking note of resolution 1997/... of ... August 1997 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, approves the appointment of Ms. Kalliopi K. Koufa as Special Rapporteur to conduct a comprehensive study on terrorism and human rights on the basis of her working paper (E/CN.4/Sub.2/1997/28) and requests the Special Rapporteur to submit her preliminary report to the Sub-Commission at its fiftieth session, a progress report at its fifty-first session and a final report at its fifty-second session. The Commission requests the Secretary-General to provide the Special Rapporteur with all the assistance necessary to enable her to accomplish her task and recommends the following draft decision to the Economic and Social Council for adoption:

'The Economic and Social Council, taking note of Commission on Human Rights decision 1998/... of ... ... 1998, endorses the appointment of Ms. Kalliopi K. Koufa as Special Rapporteur to carry out a study on terrorism and human rights and requests the Secretary-General to provide the Special Rapporteur with all the assistance necessary to enable her to accomplish her task.'"